



Briefing paper and impact statement – fish poaching

1. Introduction

Fisheries Management Scotland represents Scotland's District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), which have a statutory responsibility to protect and improve salmon and sea trout fisheries. The individual DSFBs have statutory powers of fisheries law enforcement and have power to appoint bailiffs who have similar powers to police constables.

Fisheries Management Scotland and members work to create the environment in which sustainable fisheries for salmon and sea trout can be enjoyed. Conservation of fish stocks, and the habitats on which they depend, is essential and many DSFBs operate conservation and management schemes to protect and enhance the salmon fisheries. Fisheries Management Scotland, as their representative body, develop and promote policies that seek where possible to protect wider biodiversity and our environment as well as enhancing the economic benefits for our rural economy that salmon fisheries provide.

An analysis of the value of wild fisheries in Scotland estimating the contributions of wild freshwater fisheries to Scotland's economy was completed in 2017. This [report](#) concluded that The economic benefits of Scotland's wild fisheries remain significant despite the concerns identified by those surveyed. In summary, the Scotland-wide economic impact assessment of wild fisheries indicates around £135m of angler expenditure, 4,300 full-time equivalent jobs and £79.9m Gross Value Added (GVA) in 2014 – the monetary value of the contribution to the economy made by an industry.

2. What is the problem?

Salmon catches in Scotland have now reached the lowest levels ever recorded. Figures for 2018, taken together with those of recent years, confirm this iconic species is in crisis. Environmental change, and a range of human impacts across the Northern Hemisphere are placing salmon at risk across their natural range. National conservation measures are now in place which reflect the need to reduce the pressures on salmon populations across Scotland.

The maximum penalties set out in the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 are variable and can be subject to both summary conviction and on indictment for the more serious offences, for example use of explosives or poisons. In terms of fisheries crime, the latest data ([Wildlife Crime in Scotland 2018 Annual Report](#)) confirms that (with birds) fish comprises the highest volume wildlife crime with 19% of the total crimes

reported and a conviction rate of 81%. However, the average monetary fine for fish poaching is £218, the lowest of all 9 categories of wildlife crime.

Salmon are valuable to Scotland in a number of ways. In **economic** terms, they support valuable fisheries as indicated above. The fisheries raise over **£4M** annually in statutory levies to the local boards, which is directly re-invested into fisheries management. In **ecological** terms, the salmon is an important indicator species and in Scotland it benefits from European-level designated conservation status through 17 sites of Special Areas of Conservation. Stocks of spring salmon (fish which enter rivers from January – May) are particularly fragile and a wide range of regional and national recommendations and statutory measures are in place to aid their conservation. Salmon are also **culturally** important, the species is synonymous with Scotland's rivers, and form the focus for many tourist attractions and wider interest.

In terms of the ecological impact of the killing of a salmon, a typical female fish will carry around 4500 eggs. Depending on a range of factors, around 1% may reach adulthood, so the removal of a single female fish from the river is likely to deprive the river of around 5 future adult salmon, which of course has a knock-on effect on future generations.

Translated into economic terms, the capital value of a single salmon to an individual fishery can be anywhere between £4000 -£8000 per fish, so the immediate economic impact of the removal can be high.

Fish poaching is a broad term and is used to describe the use of an illegal method, fishing out of season, retaining fish in certain condition or fishing without permission. All are criminal offences. Individuals involved in fish poaching are often associated with other forms of criminal activity, so it is important to recognise that poaching should not be considered as a problem in isolation from other crime. Poaching takes place both in the river, in the estuaries and on open coastline. A variety of methods may be deployed, all of which the most common being:

- **Use of illegal nets on the coast** - these are often constructed of clear, single strand monofilament which is illegal. It is important to note that these nets are invisible to fish and other wildlife, and are extremely efficient at not only catching fish, but also in trapping and killing other marine life, such as birds and marine mammals. This has wider implications in the context of wildlife crime.
- **Use of illegal nets within river** – as above, very efficient and can have an impact also on other wildlife, such as otters, birds, etc.
- **Use of poisons** – Devastating to all fish stocks, the use of poisons (particularly agricultural pest control substances such as 'cymag') is now much less common, but isolated cases do occur from time to time.
- **Foul hooking** – This involves 'snagging' fish with hooks in a random manner, so that the fish does not take the fly or lure willingly. This is not a national problem, but locally this can have an impact on fish stocks.
- **Fishing without legal permission** – this is a relatively common criminal offence – not a national problem, but it does absorb local enforcement resources at particular times of the year.

4. When is it likely to occur and where?

Salmon runs vary from river to river. Illegal activity generally starts to build in late spring, and will continue to intensify throughout the year, with autumn runs peaking in the period September to November. Coastal/estuarial poaching tends to take place during spring/summer, whilst fish wait to enter rivers, and in-river poaching can take place from spring through to the end of November.

Periods of dry weather can exacerbate the problem. Salmon stocks can build up in estuaries whilst waiting for river levels to rise and enter rivers. Once in the river, dry weather can also result in falling river levels. This inhibits fish migration upriver, and fish will tend to stop at falls, weirs and other barriers and are attractive to poachers at these sites.

As individual rivers have different times when fish are present, ranging from January to November, it is difficult to generalise, however the above provides an outline of the national trend.

5. Has fish poaching increased, and if so why?

Poaching wild fish is still an attractive proposition. Wild salmon commands a premium price in comparison to cheaper, farmed fish which is widely available. There is always a demand from the catering/restaurant trade for wild salmon. It is now a criminal offence to sell rod-caught salmon, so there are now less legal avenues through which fish can be 'traded'. At the same time, the enforcement network of bailiffs in Scotland, whilst stretched and under-resourced, also has a significant deterrent effect and in the absence of enforcement patrols, it is highly likely that the problem and impact on wild fish stocks would be significantly higher.

Recent Police Scotland data has shown a trend in increased fish poaching activity, with the COVID-19 pandemic being a contributory factor in a 282% increase in fish poaching during 2020. It is likely that opportunistic criminals took advantage of a reduction of angling activity on rivers due to lockdown travel restrictions, and the resultant surge of visitors to the countryside following the easing of COVID-19 lockdown restrictions also had an impact.